

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ODILON S. CELESTIN, WIDMIR ROMELIEN,
MARIE LUCIE ST VIL, GORETTIE ST VIL,
JEANNETTE VALEUS, GUETTY FELIN and
HERVE COHEN, on behalf of all others similarly
situated,

Plaintiffs,

v.

MICHEL JOSEPH MARTELLY, JOCELERME
PRIVERT, JOVENEL MOISE, THE WESTERN
UNION COMPANY, d/b/a Western Union Holdings,
Inc., Western Union Financial Services, Inc., and through
other subsidiaries and affiliates, CARIBBEAN AIR
MAIL, INC., d/b/a CAM, UNIBANK, S.A.,
UNITRANSFER USA, INC., UNIGESTION HOLDING,
S.A., d/b/a DIGICEL HAITI, NATCOM S.A. and THE
GOVERNMENT OF HAITI,

Defendants.

Case No. 18-cv-7340 (LDH) (PK)

**NOTICE OF MOTION TO DISMISS OF DEFENDANTS MICHEL JOSEPH
MARTELLY, JOCELERME PRIVERT, AND THE GOVERNMENT OF HAITI**

PLEASE TAKE NOTICE that upon the accompanying (i) Memorandum of Law, dated December 16, 2022; (ii) Declaration of Michel Joseph Martelly, dated December 8, 2022; and (iii) Declaration of Jocelerme Privert, dated December 8, 2022; and upon all prior proceedings had in this case, Defendants Michel Joseph Martelly, Jocelerme Privert, and the Government of Haiti hereby move this Court, before the Hon. LaShann DeArcy Hall, United States District Judge, such motion to be heard in Courtroom 4H North of the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined, for an Order, pursuant to Rules 12(b)(1), 12(b)(2), and 12(b)(5) of the Federal Rules of Civil Procedure, (a) dismissing the Third Amended Class Action Complaint for lack of subject matter jurisdiction

and lack of personal jurisdiction, and (b) granting such other and further relief as the Court may deem just and proper.

Dated: December 16, 2022
New York, New York

Respectfully submitted,

MADSEN LAW P.C.

By: /s/ Bertrand Madsen
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- and -

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*Attorneys for Defendants Michel Joseph
Martelly, Jocelerme Privert, and the
Government of Haiti*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ODILON S. CELESTIN; WIDMIR ROMELIEN;
MARIE LUCIE ST VIL; GORETTIE ST VIL;
JEANETTE VALEUS; GUETTY FELIN; HERVE
COHEN, and on behalf of all others similarly
situated,

Case No. 18-cv-7340 (LDH) (PK)

Plaintiffs,

- against -

MICHEL JOSEPH MARTELLY; JOCELERME
PRIVERT; JOVENEL MOISE; THE WESTERN
UNION COMPANY, d/b/a Western Union Holdings,
Inc., et al.; CARIBBEAN AIR MAIL, INC., d/b/a
CAM; UNIBANK, S.A.; UNITRANSFER USA, INC.;
UNIGESTION HOLDINGS, S.A., d/b/a DIGICEL
HAITI; NATCOM S.A., and THE GOVERNMENT
OF HAITI,

Defendants.

**NOTICE OF MOTION
BY DEFENDANT
NATCOM FOR
DISMISSAL OF THE
THIRD AMENDED
COMPLAINT**

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PLEASE TAKE NOTICE that upon the accompanying (i) Memorandum of Law, dated December 16, 2022; (ii) Declaration of LE THANH TRUNG, and upon all proceedings heretofore had herein, Defendant NATCOM S.A. through its undersigned counsel hereby moves this Court, before the Hon. LaShann DeArcy Hall, United States District Judge, such motion to be heard in Courtroom 4H North of the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, at a date and time to be determined, for an Order, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, (a) dismissing the Third Amended Class Action Complaint for lack of personal jurisdiction, and (b) granting such other and further relief as the Court may deem just and proper.

Dated: New York, NY
This December 16, 2022

Respectfully submitted,



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Attorney for Defendant NATCOM S.A.

TO: All counsels of record via ECF.